

Application No.: 10/041998

Case No.: 57078US002

Remarks

Claims 1 to 30 are pending. Claims 19 to 30 have been withdrawn from consideration.

§ 112 Rejections

Claims 1-18 stand rejected under 35 USC § 112, second paragraph, as purportedly indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant respectfully traverses.

Applicant submits that the Markush groups are properly formed. For example, from claim 1: "R₁ is selected from the group consisting of straight-chain, branched, cyclic and aromatic groups," The clause following: ". . . including saturated and unsaturated groups, including heteroatomic groups, and including any of the above which are substituted;" merely clarifies the variety of species included in the Markush group but does not alter the scope of the Markush group.

In summary, Applicant submits that the rejection of claims 1-18 under 35 USC § 112, second paragraph, has been overcome, and that the rejection should be withdrawn.

§ 102 and 103 Rejections

Claim 1 stands rejected under 35 USC § 102(b) as purportedly anticipated by any one of U.S. Patents Nos. 5,723,664, (Sakaguchi); 5,072,040 (Armand); 5,463,005 (Desmarteau); 5,514,493 (Waddell); 5,827,602 (Koch) and 6,090,985 (Mao). Claims 1-18 stand rejected under 35 USC § 103(a) as purportedly unpatentable over the combined teachings of Sakaguchi, Armand, Desmarteau, Waddell, Koch and Mao. Applicant respectfully traverses these rejections.

The present claims recite a zwitterionic imide compound. The compound includes an anionic imide function and a cationic group R₂⁺. None of the cited references concern zwitterionic compounds, and therefore their citation is inapposite.

Applicant submits that the rejection of claims 1-18 under 35 USC § 102(b) and § 103(a) has been overcome and should be withdrawn.

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In view of the above, it is submitted that the application is in condition for allowance.
Reconsideration of the application is requested.

Respectfully submitted,

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Date

By: 

Philip Y. Dahl, Reg. No.: 36,115

Telephone No.: (651) 737-4029

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833